

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

EL PAPEL LLC,

Plaintiff,

v.

JENNY DURKAN, *et al.*,

Defendants.

CASE NO. 2:20-cv-01323-RAJ-JRC

ORDER FOR SUPPLEMENTAL  
BRIEFING

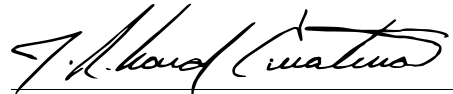
This matter is before the Court on the parties' cross-motions for summary judgment and on referral from the District Court. Dkts. 93, 103, 104, 110. After the parties completed briefing on the cross motions, defendants filed a notice of supplemental authority indicating that as of June 30, 2021, until September 30, 2021, Emergency Proclamation 21-09 is the relevant eviction restriction in the State of Washington.

It is unclear to the Court whether plaintiffs are now challenging Emergency Proclamation 21-09 (*see* Dkt. 126-3) instead of prior iterations of the State's eviction moratorium, and, if this is the case, the Court seeks additional briefing addressing Proclamation 21-09.

1           Therefore, the Court orders that plaintiffs submit supplemental briefing not to exceed  
2 seven pages in support of their summary judgment motion and responses to defendants' cross-  
3 summary judgment motions. The supplemental briefing shall address (1) any arguments specific  
4 to Emergency Proclamation 21-09 that plaintiffs wish to raise, (2) the effect of Emergency  
5 Proclamation 21-09, and (3) whether plaintiffs still continue to bring any challenges to prior  
6 iterations of the State's eviction moratorium. Such briefing shall be filed on or before **August 2,**  
7 **2021.** Defendants may file responsive briefs, not to exceed seven pages, each, if they so desire,  
8 on or before **August 16, 2021.**

9           The cross-summary judgment motions (Dkts. 93, 103, 104, 110) are re-noted for  
10 consideration August 16, 2021.

11           Dated this 19th day of July, 2021.

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14 J. Richard Creatura  
15 Chief United States Magistrate Judge  
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